

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SEAN A. FAIRWEATHER,	:	No. 3:24cv55
	:	
Plaintiff	:	(Judge Munley)
	:	
v.	:	(Magistrate Judge Schwab)
	:	
COMFORT SUITES and	:	
CHOICE HOTELS,	:	
Defendant	:	
.....		

*23<sup>d</sup>* ORDER

AND NOW, to wit, this 23 day of February 2024, it is hereby  
**ORDERED** as follows:

- 1) The analysis of Magistrate Judge Susan E. Schwab's Report and Recommendation of January 23, 2024 (Doc. 9) is **ADOPTED**, the original complaint, however, is not dismissed as it was superseded by plaintiff's amended complaint;
- 2) Plaintiff's Amended Complaint is **DISMISSED** with prejudice for failure to properly assert this court's jurisdiction as explained in the Report and Recommendation; and
- 3) The Clerk of Court is directed to close this case.

BY THE COURT:

*[Signature]*  
JUDGE JULIA K. MUNLEY  
United States District Court